

DOCKET NUMBER: CR 92-0351

CRIMINAL CAUSE FOR Status Conference

Date Received By Docket Clerk: _____ **Docket Clerk Initials:** _____

BEFORE JUDGE: Eric Komitee, USDJ **DATE:** 7/06/23 **TIME IN COURT** 1 Hr

DEFENDANT'S NAME: Victor Orena **DEFENDANT'S #:** 1

☐ Present ☒ Not Present ☐ Custody ☐ Not Custody

DEFENSE COUNSEL: David Schoen

☐ Federal Defender ☐ CJA ☒ Retained

A.U.S.A.: Devon Lash **PROBATION OFFICER:** Jeremy Toner

ESR OPERATOR: Andrew Jackson **FTR LOG:** 10:26 – 11:28

- | | |
|--|---|
| <input type="checkbox"/> Arraignment | <input type="checkbox"/> Revocation of Probation non contested |
| <input type="checkbox"/> Change of Plea Hearing (~Util-Plea Entered) | <input type="checkbox"/> Revocation of Probation contested |
| <input type="checkbox"/> In Chambers Conference | <input type="checkbox"/> Sentencing non-evidentiary |
| <input type="checkbox"/> Pre Trial Conference | <input type="checkbox"/> Sentencing Contested |
| <input type="checkbox"/> Initial Appearance | <input type="checkbox"/> Revocation of Supervised Release evidentiary |
| <input checked="" type="checkbox"/> Status Conference | <input type="checkbox"/> Revocation of Supervised Release non-evidentiary |
| <input type="checkbox"/> Telephone Conference | |
| <input type="checkbox"/> Voir Dire Begun | <input type="checkbox"/> Voir Dire Held <input type="checkbox"/> Jury selection <input type="checkbox"/> Jury trial |
| <input type="checkbox"/> Jury Trial Death Penalty | <input type="checkbox"/> Sentence enhancement Phase <input type="checkbox"/> Bench Trial Begun |
| <input type="checkbox"/> Bench Trial Held | <input type="checkbox"/> Bench Trial Completed <input type="checkbox"/> Motion Hearing Non Evidentiary |
| <input type="checkbox"/> Other Evidentiary Hearing Contested | TYPE OF HEARING _____ |

UTILITIES

- | | | |
|---|---|---|
| <input type="checkbox"/> ~Util-Plea Entered | <input type="checkbox"/> ~Util-Add terminate Attorneys | <input type="checkbox"/> ~Util-Bond Set/Reset |
| <input type="checkbox"/> ~Util-Exparte Matter | <input type="checkbox"/> ~Util-Indictment Un Sealed | <input type="checkbox"/> ~Util-Information Unsealed |
| <input type="checkbox"/> ~Util-Set/Reset Deadlines | <input type="checkbox"/> ~Util-Set/Reset Deadlines/Hearings | |
| <input type="checkbox"/> ~Util-Set/Rest Motion and R&R Deadlines/Hearings | <input type="checkbox"/> ~Util-Terminate Motions | |
| <input type="checkbox"/> ~Util-Set/Reset Hearings | | |

Do these minutes contain ruling(s) on motion(s)? ☐ YES ☒ NO

TEXT: The Probation Dept. is directed to revise the PSR, in consultation with the defense and the government, as quickly as possible. Once the revised PSR is filed, Defendant shall submit a sentencing memorandum, which shall address whether a Fatico hearing is required, and, if so, why. The Court also directed the defendant to submit a letter regarding (1) whether it is necessary to establish competency before proceeding to resentencing, and (2) whether resentencing is an appropriate vehicle for challenging the underlying convictions.